

Serial No. 09/748,036 - Rojas et al.

ELECTION

Applicants hereby elect Group I, claims 1-14, with traverse.

Applicants also elect the following species: uric acid. This election is also made with traverse.

Applicants believe that all of claims 1-14 are readable on the elected species. Claims 1-12 are generic, while claims 13 and 14 recite Markush groups which include the elected uric acid.

REMARKS

Claims 1-39 remain of record in this application.

Traversal of Restriction

The Examiner has required restriction to one of the following three inventions:

1. a process for aggregating termites to a location;
2. a composition for aggregating termites which includes a termiticide; and
3. a composition for aggregating termites which is not limited to a termiticide.

The Examiner has indicated that the restriction is proper because the products of groups 2 and 3 can be used in a different process than group 1, such as attracting flies. The Examiner has also indicated that the products of groups 2 and 3 are distinct because the search for one group would not be required for the other. Applicants respectfully disagree.

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With respect to the restriction between the products and the process of group 1, the Examiner's suggestion that the products of groups 2 or 3 would be effective for another purpose such as attracting flies is speculative and unsupported. The Examiner has not provided any evidence to support this assertion.

With respect to the restriction between the products of groups 2 and 3, applicants believe that the examination of all claims can be made without serious burden if election is not required. Applicants believe that the searches for each would be coextensive, particularly as the composition of group 2 includes all of the limitations of group 3.

In view of the foregoing, applicants respectfully request that the requirement for restriction be reconsidered and withdrawn, and that all claims receive action on the merits.

Respectfully submitted,



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